

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES M. MURRELL III,

Plaintiff,

v.

PATRIOT FRONT, THOMAS ROUSSEAU,  
AND JOHN DOES 1-99,

Defendants.

Civil No. 1:23-cv-11802-IT

**SUPPLEMENTAL DECLARATION OF JAMES M. GROSS, ESQ. IN SUPPORT OF  
PLAINTIFF'S MOTION FOR REASONABLE ATTORNEYS' FEES AND COSTS**

I, James M. Gross, hereby declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am a Partner at the law firm of Foley Hoag LLP, located at 1301 6th Avenue, New York, NY 10019. I am a member in good standing of the bar of the State of New York. I am admitted *pro hac vice* as counsel for Plaintiff Charles M. Murrell III in the above-captioned case.

2. I am familiar with the matters set forth herein by virtue of my personal involvement as counsel for Mr. Murrell in this matter. I make this declaration based upon my personal knowledge and my review of relevant materials.

3. On January 31, 2025, I submitted a declaration (ECF No. 63) in support of Plaintiff's Motion for Reasonable Attorneys' Fees and Costs (ECF No. 62). Attached to that January 31, 2025 declaration was an Exhibit B (filed at ECF No. 63-2), which reflected the number of hours worked, summaries of the work performed, the billing rates attributable to each legal professional at Foley Hoag who performed work on this matter, and the amount billed on the above-captioned matter through October 17, 2024.

4. On September 30, 2025, this Court Ordered Plaintiff to supplement the information contained in ECF No. 63-2 by providing “a breakdown ... by stage of this proceeding (such as drafting the complaint, service-related work, prehearing preparation, evidentiary hearing, post-hearing briefing, etc.) with subtotals for the hours performed by each attorney and total hours for that stage of the proceeding.” *See* ECF No. 70. I submit this supplemental declaration in response to that September 30 Order.

5. The work performed by Foley Hoag attorneys in this case and which is reflected in the time entries contained in ECF No. 63-2 totaled 871.1 hours for a total cost of \$572,187.20.<sup>1</sup> Those hour and cost totals can be broken down into six phases:

- a. **Phase 1:** Researching, drafting, and filing the Complaint;
- b. **Phase 2:** Post-Complaint efforts to serve defendants, non-party discovery (including Freedom of Information Act requests), filings related to the same, and service of all post-Complaint filings on Defendants via alternative means.
- c. **Phase 3:** Researching, drafting, and filing the Motion for Default Judgment (ECF No. 46) and filings related thereto;
- d. **Phase 4:** Preparing for the October 2 and October 3 evidentiary hearing on Plaintiff’s Motion for Default Judgment hearing (including the preparation of 3 fact witnesses and 2 expert witnesses);
- e. **Phase 5:** Conduct of the October 2 and October 3 evidentiary hearing on Plaintiff’s Motion for Default Judgment hearing; and
- f. **Phase 6:** Researching, drafting, and filing Plaintiff’s post-hearing submission.

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<sup>1</sup> As I explained in my January 31, 2025 Declaration, these totals reflect a significant discount with respect to both the billable rate applied as well as the total time spent by Foley Hoag attorneys on this matter.

6. The breakdown of the hours spent by each attorney on each phase, with the corresponding cost, is reflected in the chart below.

Category	Timekeeper	Sum of Hours	Sum of Value
Phase 1 - Complaint	Gross, James M.	64.1	\$46,023.80
	Holliday, Caroline E.	12.7	\$6,908.80
	Mirenda, Anthony D.	20.7	\$19,789.20
	Nigro, Carla A.	0.7	\$263.20
	Thigpen, Allen M.	54.4	\$36,774.40
Phase 1 - Complaint Total		152.6	\$109,759.40
Phase 2 - Service and Discovery	Gross, James M.	48.7	\$34,966.60
	Holliday, Caroline E.	25.4	\$13,817.60
	Mirenda, Anthony D.	35.4	\$33,842.40
	Nigro, Carla A.	23.8	\$8,948.80
	Thigpen, Allen M.	48.8	\$32,988.80
Phase 2 - Service and Discovery Total		182.1	\$124,564.20
Phase 3 - Default Judgment	Gross, James M.	12.8	\$9,190.40
	Holliday, Caroline E.	4.7	\$2,556.80
	Lee, Jace	23.8	\$11,781.00
	Mirenda, Anthony D.	3.2	\$3,059.20
	Thigpen, Allen M.	8.5	\$5,746.00
Phase 3 - Default Judgment Total		53.0	\$32,333.40
Phase 4 - Pre-Hearing Prep	Gross, James M.	85.5	\$61,389.00
	Holliday, Caroline E.	86.5	\$47,056.00
	Lee, Jace	104.0	\$51,480.00
	Mirenda, Anthony D.	48.7	\$46,557.20
	Nigro, Carla A.	13.7	\$5,151.20
	Thigpen, Allen M.	62.6	\$42,317.60
Phase 4 - Pre-Hearing Prep Total		401.0	\$253,951.00
Phase 5 - Hearing	Gross, James M.	18.7	\$13,426.60
	Holliday, Caroline E.	11.6	\$6,310.40
	Lee, Jace	17.6	\$8,712.00
	Thigpen, Allen M.	16.8	\$11,356.80
Phase 5 - Hearing Total		64.7	\$39,805.80
Phase 6 - Post-Hearing	Gross, James M.	6.2	\$4,451.60
	Holliday, Caroline E.	1.2	\$652.80
	Lee, Jace	5.8	\$2,871.00
	Mirenda, Anthony D.	2.7	\$2,581.20
	Thigpen, Allen M.	1.8	\$1,216.80
Phase 6 - Post-Hearing Total		17.7	\$11,773.40
Grand Total		871.1	\$572,187.20

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
October 14, 2025

/s/ James M. Gross  
James M. Gross, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th of October, 2025, I caused a copy of the above document to be electronically filed using the CM/ECF system. Plaintiff will serve this Supplemental Attorney Declaration on Defendants via the alternative means of service authorized by this Court's November 7, 2023 Order (ECF No. 20).

/s/ James M. Gross

James M. Gross